

Application No. 09/815,573  
Amendment Dated November 21, 2003  
Reply to Office Action of October 21, 2003

**REMARKS**

In the Office Action dated October 21, 2003, the Examiner entered Applicant's Request for Continued Examination (RCE) filed July 23, 2003 as paper No. 16. The Examiner, however, did not enter the Amendment which accompanied the RCE which was also filed on July 23, 2003 as paper No. 17. The Examiner also indicated that claims 8-14 are pending in this application, but the Examiner also indicated that the Amendment would not be entered as new claim 8 was directed toward reducing the amount of phosphorus in cow manure rather than maintaining milk production in a dairy cow.

In response, Applicant has rewritten claim 8 herein to be directed toward the original inventive concept of maintaining milk production in a dairy cow fed a low phosphorus diet. It is believed that claim 8 is now proper and is directed to the originally presented invention. Claim 10 has been rewritten merely to be more consistent with the language of claim 8.

Applicant would like to refer the Examiner to the remarks contained in the Amendment dated July 23, 2003 as the Applicant believes the remarks therein apply equally to claim 8 as amended herein. Thus, the arguments presented with the July 23, 2003 Amendment clearly support that the prior art '312 and '446 references do not teach or suggest that a  $1\alpha$ -hydroxylated vitamin D compound could be substituted for some or all of the inorganic phosphorus in the diet of a cow.

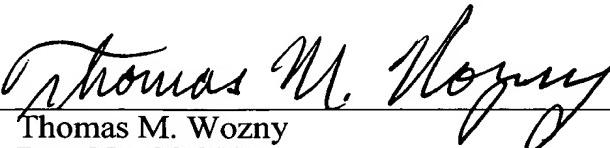
Support for the amendment of claim 8 can be found in the original specification as filed. The Examiner is referred specifically to page 6, lines 12-17, although there are numerous other locations that could be referenced in the specification for support.

An effort has been made to place this application in condition for allowance and such action is earnestly requested.

Respectfully submitted,

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